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### NOTES OF CASES.

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**CRIMINAL PRACTICE—GRAND JURY.**—A statute requiring twenty-three grand jurors is held, in *State v. Vincent* (Md.), 52 L. R. A. 83, to be, not merely directory, but mandatory, and an indictment by a less number is held bad on demurrer.

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**STREET RAILWAY EMPLOYEES—WHEN PASSENGERS.**—Street railway employees riding gratuitously when off duty, under a rule permitting them to ride free, are held, in *Dickinson v. West End St. R. Co.* (Mass.), 52 L. R. A. 326, to be passengers, and not servants.

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**CONSTITUTIONAL LAW—PHARMACY ACT.**—A pharmacy act giving an exclusive privilege to registered pharmacists for the sale of patent and proprietary medicines, without requiring any inspection or examination thereof, is held, in *Noel v. People* (Ill.), 52 L. R. A. 287, to be unconstitutional.

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**GATES AT RAILWAY CROSSING.**—The right of a traveler to rely upon the fact that gates at a railroad crossing are raised, or that a flagman usually present when a train is approaching is not in sight, is upheld in *Woehle v. Minnesota Transfer R. Co.* (Minn.), 52 L. R. A. 348, within limitations, and the extent to which he may so rely is held to be a question for the jury.

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**FIRE INSURANCE—PROOF OF LOSS.**—Failure to furnish proofs of loss under a policy of insurance within the specified time, where there is no stipulation that the policy shall be void on that account, is held, in *Southern Fire Ins. Co. v. Knight* (Ga.), 52 L. R. A. 70, not to make the policy void, but to leave the insured an opportunity to furnish them within a reasonable time.

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**LIFE INSURANCE—INTEREST OF CHILDREN.**—A policy on a man's life for the benefit of his wife, and, in case of her death, payable to his children, is held, in *Millard v. Brayton* (Mass.), 52 L. R. A. 117, to be a contract with the wife, and to give the children, in case of her death during his lifetime, a vested interest which will inure to their estates if they die while the father is living.

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**MEASURE OF DAMAGES—LOSS OF PROFITS.**—The profits of a boarding house conducted by one injured by negligence are held, in *Wallace v. Pennsylvania R. Co.* (Pa.), 52 L. R. A. 33, to be properly considered in determining her earning power as an element of damages to be awarded for the injury. A note to this case collates the authorities on the subject of damages for torts as affected by loss of profits.

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**JUDGMENT AGAINST OFFICER—SURETIES.**—A judgment against a constable for an unlawful seizure is held, in *Rodini v. Lytle* (Mont.), 52 L. R. A. 165, to have no effect as against the sureties on his official bond, who were not parties to the action in which it was rendered.

A note to this case reviews the authorities as to the effect against sureties on official bond of judgment against officer.